



STATE OF DELAWARE
DEPARTMENT OF FINANCE
DIVISION OF REVENUE
CARVEL STATE BUILDING
820 N. FRENCH STREET
WILMINGTON, DELAWARE 19801

DIVISION OF REVENUE

June 5, 1987

TECHNICAL INFORMATION MEMORANDUM 87-4

SUBJECT: Form 1902(b), Information Return
Holding Company/Investment Company

House Bill 724 (64 Del. Laws Ch. 461) amended Section 1902 of Title 30 of the Delaware Code by providing that the Secretary of Finance may require every corporation exempt from taxation under Section 1902(b), 30 Del. C., to file an information return for each taxable year setting forth the items of information the Secretary of Finance may prescribe. House Bill 724 was effective for taxable years beginning after December 31, 1984.

The following corporations are required to file Form 1902(b): Corporations whose activities within Delaware are confined to the maintenance and management of their intangible investments and the collection and distribution of the income from such investments or from tangible property physically located outside Delaware. Information Returns for taxable years ending on or after December 31, 1986 but ending before December 31, 1987 are due on the first day of the tenth month following the close of the taxable year. Thus, returns for the calendar year ending December 31, 1986 are due on or before October 1, 1987. Information Returns for taxable years ending on or after December 31, 1987 are due on the first day of the fourth month following the close of the taxable year.

The taxable year ending date of a corporation required to file Form 1902(b) Information Return shall be the same as it is for purposes of computing its federal income tax. Form 1902(b) must be filed on or before the first day of the fourth month following the end of the taxable year. A request for an automatic extension of six months to the Internal Revenue Service will automatically extend the filing date of the Delaware return by six months. If no federal extension was requested, an extension of time for filing may be made by a letter on or before the due date.

Robert W. Chastant
Director of Revenue

**DELAWARE
INFORMATION RETURN
HOLDING COMPANY/INVESTMENT COMPANY**

FOR OFFICE USE ONLY

Rev. Code 042

This return is for calendar year 19____ If not for calendar year, insert ending date of fiscal year _____ 19____

Name of Corporation _____

Address _____

Zip Code _____

Delaware address if different from above _____

Zip Code _____

Date and State of Incorporation _____

Employer Identification Number _____

PART I - GENERAL INFORMATION

1. Name and address of compensated employees working in Delaware (do not include Directors).

Name	Address	Full-time	Part-time

2. Name, address, and F.E.I.N./S.S.N. of owners (individuals, corporations) of more than 10% of the stock of the corporation whose Delaware individual or corporate income tax liability exceeded \$100,000 in any of the past three years.

Name	Address	E.I. or S.S. Number

PART II - QUESTIONS RELATING TO NON-EXEMPT ACTIVITIES

If the answer to any of the following is "yes", it would be an indication that the corporation is **NOT** exempt from Delaware corporate tax under § 1902(b)(8), 30 Del. C. (If yes, please provide a brief description.)

1. Did the corporation receive income from the following sources:

YES NO

a. Rental income from real property located within Delaware.

☐ ☐

b. Rental income from tangible personal property located within Delaware.

☐ ☐

2. Did the corporation provide in Delaware any of the services listed below for an unaffiliated entity or an affiliated entity other than as part of the corporation's maintenance and management of its intangible assets? (If yes, please provide a brief description.)

YES NO

YES NO

a. Accounting and Bookkeeping

☐ ☐

e. Collections

☐ ☐

b. Legal

☐ ☐

f. Management

☐ ☐

c. Consultation

☐ ☐

g. Computer Services

☐ ☐

d. Investment Advice

☐ ☐

PART III - QUESTIONS RELATING TO EXEMPT ACTIVITIES

If the answer to any of the following is "yes", it would be an indication that the corporation is exempt from Delaware corporate income tax under §1902(b)(8), 30 Del. C. (If yes, please provide a brief description.)

1. Did the corporation directly or indirectly receive income in excess of \$1 million from any one of the following sources? Please check appropriate box for each source of income and, for each "yes" response, provide a description of the activity performed in Delaware with regard to such income.

	YES	NO
a. Interest on notes secured by real estate mortgages.	<input type="checkbox"/>	<input type="checkbox"/>
b. Interest on all other debt obligations.	<input type="checkbox"/>	<input type="checkbox"/>
c. Dividends.	<input type="checkbox"/>	<input type="checkbox"/>
d. Patents, patent applications, trademarks, trade names and know-how.	<input type="checkbox"/>	<input type="checkbox"/>
e. Gain on the sale of intangible investment.	<input type="checkbox"/>	<input type="checkbox"/>
f. Rental income from real property located outside of Delaware.	<input type="checkbox"/>	<input type="checkbox"/>
g. Rental income from tangible personal property located outside of Delaware.	<input type="checkbox"/>	<input type="checkbox"/>

2. Is the corporation engaged in business activities outside of Delaware other than described in Question 1. above? (If yes, please describe.)

<input type="checkbox"/>	<input type="checkbox"/>
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PART IV - ADDITIONAL INFORMATION

Did the corporation have any source of income other than the sources of income described in Parts II and III above? (If yes, please describe the source of income and the activity in Delaware relating to it.)

<input type="checkbox"/>	<input type="checkbox"/>
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Under penalties of perjury, I declare that I have examined this return and statements, and believe it is true, correct and complete.

Signature

Title

Date

**INSTRUCTIONS FOR FORM 1902(b)
INFORMATION RETURN FOR HOLDING COMPANY/INVESTMENT COMPANY**

GENERAL INSTRUCTIONS

CORPORATIONS REQUIRED TO FILE RETURNS

Under 30 Del. C., §1904(g), an Annual Information Return may be required of each corporation claiming exemption from Delaware corporate income tax under 30 Del. C., §1902(b)(8) which provides an exemption for "Corporations whose activities within this State are confined to the maintenance and management of their intangible investments and the collection and distribution of the income from such investments or from tangible property physically located outside this State. For purposes of this paragraph, 'intangible investments' shall include, without limitation, investments in stocks, bonds, notes, and other debt obligations (including debt obligations of affiliated corporations), patents, patent applications, trademarks, trade names and similar types of intangible assets." Form 1902(b), Information Return for Holding Company/Investment Company, must be filed annually by corporations claiming exemption from corporate taxation under Section 1902(b)(8) of Title 30 of the Delaware Code.

PERIOD COVERED BY RETURN

The taxable year ending date of a corporation required to file Form 1902(b) Information Return shall be the same as it is for purposes of computing its federal income tax.

WHEN TO FILE AND EXTENSIONS

Form 1902(b) Information Return must be filed on or before the first day of the fourth month following the end of the taxable year. A request for an automatic extension of six months to the Internal Revenue Service will automatically extend the filing date of the Delaware return by six months. If no federal extension was requested, an extension of time for filing may be made by a letter on or before the due date. Copies of extensions granted (Federal Form 7004 or Delaware Division of Revenue Approval Letter) must be attached to the return when filed. Please detach and mail Form 1902(b), Information Return, to the Division of Revenue, 820 N. French Street, P.O. Box 2044, Wilmington, Delaware 19899-2044.

PART I - GENERAL INFORMATION

LINE 1 - NAME AND ADDRESS OF COMPENSATED DELAWARE EMPLOYEES

Enter on Line 1 the names and addresses of individuals employed by the filing corporation within Delaware (do not include Directors). Please also indicate whether employed on a full or part time basis. If additional space is needed, please attach a separate schedule.

LINE 2 - NAME, ADDRESS AND IDENTIFYING NUMBER OF PERSONS OWNING MORE THAN 10% OF THE STOCK OF THE CORPORATION

Enter on Line 2 the name, address and Federal Employer Identification Number or Social Security Number of owners (individual, partnership or corporation) of more than 10% of the outstanding stock of the corporation whose Delaware individual or corporate income tax liability exceeded \$100,000 in any of the past three years. If additional space is needed, please attach a separate schedule.

SPECIFIC INSTRUCTIONS

PART II - QUESTIONS RELATING TO NON-EXEMPT ACTIVITIES

If the answer to any of the following questions is yes, it would be an indication that the corporation is **NOT** exempt from Delaware Corporate income tax under 30 Del. C. §1902(b)(8).

1. **Sources of Income.** Did the corporation receive rental income from real property and/or tangible personal property located within Delaware? Please check appropriate box for each source of income and provide a description of the activities performed within Delaware for each "yes" box.
2. **Services Provided.** Did the corporation provide in Delaware any of the services listed for an unaffiliated entity or an affiliated entity other than as part of the corporation's maintenance and management of its intangible assets? Please check appropriate box for each service and provide a description of the service performed within Delaware for each "yes" box.

PART III - QUESTIONS RELATING TO EXEMPT ACTIVITIES

If the answer to any of the following is "yes", it would be an indication that the corporation is exempt from Delaware corporate income tax under §1902(b)(8), 30 Del. C.

1. **Sources of Income Within Delaware.** Did the corporation directly or indirectly receive income in excess of \$1 million from any one of the sources listed? Please check appropriate box for each source of income and provide a description of the activities performed within Delaware for each "yes" box in the space provided.
2. **Sources of Income Without Delaware.** Is the corporation engaged in business activities outside of Delaware other than those described in Question 1 above? If yes, please provide a brief description in the space provided.

PART IV - ADDITIONAL INFORMATION

Did the corporation have any sources of income other than the sources of income described in Parts II and III above: If yes, please describe the source of income and the activity in Delaware relating to it in the space provided.

SIGNATURE

Please sign and date this return indicating the title of the officer or designee signing this return, detach Form 1902(b) and mail to the Division of Revenue, 820 N. French Street, P.O. Box 2044, Wilmington, Delaware 19899-2044.